

## SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

**April 24-28, 2000**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
4-25	EX	75/312,958	LICO Brands, Inc.	Hanak* Quinn Bucher	2(d)	Refusal Reversed		"SAPORITO" [processed meats, including dry sausage, prosciutto ham, soppressata salami]	"TASTY" (and design) [processed meats products, including ham and various sausages]	Bullock	No
4-25	EX	75/115,589	Bernd Hummel, GmbH	Seeherman Hanak* Wendel	2(d)	Refusal Affirmed [but only as to cited marks "GEO" (with respect to applicant's Class 25 goods) and "GEO-GEAR" (with respect to applicant's Class 18 goods)]		"GEO NATUR WARE" (and design) [ <i>Class 25 goods</i> : sports and leisure garments, namely, shirts, pants, hats, socks, head wear, footwear, belts, coats; <i>Class 18 goods</i> : suit and carry-on suitcases, sports, travel and carry bags, sport bags, backpacks, handbags, billfolds, wallets, key cases, brief cases, attache cases]	"LIFEFORMS NATUREWEAR" [t-shirts] and "LIFEFORMS NATUREWEAR (and design) [t-shirts]; "GEO" [footwear]; "GEO-GEAR" (in stylized form) [fanny packs and roll bags]	Carruthers	No
4-26	OPP (R)	101,101	Miguel Torres, S. A. v. Advantage Wine Group	Hanak* Chapman Bucher	2(d)	Request for Reconsideration Denied [Opposition Dismissed]	"VIÑA SOL" and "GRAN VIÑA SOL" [ <i>both marks for wine</i> ]	"DONA SOL" [wine]			No
4-27	EX	75/267,780	Greenwood Mop & Broom, Inc.	Cissel* Bucher Bottorff	2(d); Section 6 disclaimer requirement (of word SWEEPER)	Refusal Affirmed (on both grounds)		"EZY SWEEPER" [brooms]	"Eazy SWEEP" [brooms]	Matthews	No

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(2) \*=Opinion Writer; (D)=Dissenting Panel Member

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4-27	OPP (SJ)	109,721	D.S.E. Dirty South Entertainment, Inc. v. Frederick L. Bell	Hanak Hairston Chapman [Opinion "By the Board"]	2(d) [priority]	Opposition Sustained	"DIRTY SOUTH ENTERTAINMENT" [clothing; management services in the field of entertainment, including concert promotion and distribution of recorded music]	"DIRTY SOUTH" [videotapes, motion picture films featuring a variety of subject matter, compact discs and cassettes featuring rap and hip hop music; baseball caps, t-shirts, sweatshirts, sweat pants, jackets, coats and pants; entertainment services, namely, live music concerts and live performances by a musical band, motion picture film production, and videotape production]			No
4-28	EX EX	75/675,153 75/719,970	SRAM Corp.	Simms* Quinn Walters	genericness	Refusal Reversed (in both cases)		"GRIP SHIFT" [bicycle gear shifting mechanisms] and "GRIP SHIFT" (and design) [bicycle components, namely, gear shifting mechanisms, derailleurs, control cables, control cable sealing mechanisms, handlebar grips, shifter grip covers, brakes and brake levers]		Straser	No
4-28	EX	75/130,696	Auto Wax Co., Inc.	Cissel Hohein Walters*	Section 6 disclaimer requirement (of the words THE PROFESSIONAL DETAILERS')	Refusal Affirmed		"THE PROFESSIONAL DETAILERS' SECRET" [cleaning preparations, waxes, and polishes for use on the surface of vehicles, boats and airplanes]		Seegars	No

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4-28	OPP OPP OPP OPP (R)	102,173 103,135 104,173 104,193	QVC, Inc. v. Home Shopping Network, Inc.	Hairston* Walters Chapman	whether the words HOME SHOPPING, as they appear in applicant's marks, are generic for its services; if not, whether the words are merely descriptive; and, if so, whether they have become distinctive of applicant's services under Section 2(f)	Request for Reconsideration Denied [Opposition Sustained as to applicant's four marks for entertainment services and television broadcasting services]		"HSN HOME SHOPPING NETWORK" and "HSN HOME SHOPPING NETWORK" (and design) [ <i>both marks for</i> entertainment services in the nature of an ongoing television program whereby viewers are informed of various goods that can be purchased by the viewers]; "HSN HOME SHOPPING NETWORK" (and design) and "HOME SHOPPING CLUB" [ <i>both marks for</i> licensing services, namely, providing cable and broadcast television operators and broadcasters a license to show television programs]; "HSN HOME SHOPPING NETWORK" (and design) [television broadcasting services]; "HSN HOME SHOPPING NETWORK" (and a different design from those above) [television broadcasting services; entertainment services, etc.]; "HOME SHOPPING NETWORK" [credit card services]			No

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4-28	OPP (SJ)	99,944	T. E. Williams Pharmaceuticals of Arkansas, Inc. v. Trend Pharmaceuticals, Inc.	Hanak Walters Wendel [Opinion "By the Board" ]	2(d)	Opposition Dismissed [Applicant's motion for summary judgment granted]	"T-LITE" [food supplements for weight loss]	"TRI-SLIM" (in stylized lettering) [dietary food supplement]			No

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